

REMARKS

Claims 1-9 are presented for consideration, with Claim 1 being independent.

Claim 1 has been amended to further distinguish Applicant's invention from the cited art. Support for the claim amendments can be found, for example on page 15, line 24, *et. seq.*, of the specification.

The amendments to Claim 1 were not presented earlier as it was believed that the previously presented claims would be found allowable. This Amendment does not add any additional claims. Moreover, the Examiner's familiarity with the subject matter of the present application will allow an appreciation of the significance of the amendments herein without undue expenditure of time and effort. Finally, the Amendment does not raise new issues requiring further consideration or search. Accordingly, it is submitted that entry of the Amendment is appropriate.

Claims 1-9 are rejected under 35 U.S.C. §103 as allegedly being unpatentable over Tsuzuki '716 and Yamaguchi '391 and further in view of Nagakubo '343. This rejection is respectfully traversed.

Applicant's invention as set forth in Claim 1 relates to a video display apparatus comprised of a display panel, a converting circuit for executing nonlinear conversion for an input video signal to output a converted video signal, and a display brightness featured value detecting circuit for detecting a display brightness featured value indicating a brightness of the display screen. In addition, an adjustment circuit adjusts the converted video signal based on the display brightness featured value to output an adjusted video signal, and a superimposing circuit superimposes a signal for displaying textual information or an icon on the adjusted video signal to output a superimposed video signal to the display panel. As amended, the display brightness

featured value detecting circuit receives the output superimposed video signal and calculates the display brightness featured value from the superimposed video signal in which textual information or an icon is superimposed thereon, such that the converted video signal is adjusted based on the calculated display brightness featured value and such that the textual information or the icon is not adjusted based on the calculated display brightness featured value. An image is displayed on the basis of the superimposed video signal output from the superimposing circuit.

In accordance with Applicant's claimed invention, a converted video signal is adjusted based on the calculated display brightness featured value, while the textual information or the icon is not adjusted based on the calculated display brightness featured value. These features of Applicant's invention are discussed, for example, on page 16, line 11 through page 17, line 13 of the specification, and provide a high quality displayed image.

The primary citation to Tsuzuki relates to an automatic brightness correction apparatus for an image display device that includes a display panel 18, and a converting circuit 12 for converting an input video signal to an output video signal. A display brightness featured value detecting circuit, e.g., brightness information detector 21 or cathode current detection transistor 32, detects a display brightness featured value indicating a brightness of the display device, and an adjustment circuit, i.e., controller 20, adjusts the converted video signal based on the output display brightness featured value.

The Office Action acknowledges that Tsuzuki does not provide a superimposing circuit for superimposing a signal for displaying textual information or an icon on an adjusted video signal to output a superimposed video signal to the display panel. The secondary citation to Yamaguchi was cited to compensate for this deficiency.

The Yamaguchi patent relates to a contrast/brightness control circuit for a television and is relied on for disclosing a superimposing circuit 30 that superimposes a signal for displaying textual information or an icon on an adjusted video signal to output a superimposed video signal to the display panel (see Figure 3). The signal is distributed to both a first tuner 13 and a second tuner 14, with a first channel television broadcasting program being displayed on a main picture display region of CRT 41, and a second channel television broadcasting program being displayed on a sub picture display region.

In contrast to Applicant's claimed invention, however, neither Tsuzuki nor Yamaguchi teach or suggest, among other features, a display brightness featured value detecting circuit that calculates a display brightness featured value from a superimposed video signal in which textual information or an icon is superimposed thereon, such that a converted video signal is adjusted based on the calculated display brightness featured value and such that the textual information or the icon is not adjusted based on the calculated display brightness featured value. In Tsuzuki, a brightness level of the video signal is corrected based on the detected deviation between a digital test pulse and a benchmark (see column 6, lines 42-65). With respect to Yamaguchi, a first video signal processor 21 adjusts the contrast/brightness of a first picture signal, and a second video signal processor 22 adjusts the contrast/brightness of a second picture signal. The superimposer superimposes the picture signals to form a picture signal z1 to be displayed on the CRT (see column 7, line 60 through column 8, line 7). Yamaguchi thus also fails to adjust the converted video signal but not the textual information on the icon in the manner set forth in Claim 1.

The tertiary citation to Nagakubo is directed to a luminance adjusting apparatus and was relied on for its teaching of executing a nonlinear conversion of an input video signal. Nagakubo fails, however, to compensate for the deficiencies in Tsuzuki and Yamaguchi as discussed above.

Accordingly, without conceding the propriety of combining Tsuzuki, Yamaguchi and Nagakubo in the manner proposed in the Office Action, it is submitted that such a combination still fails to teach or suggest Applicant's invention as set forth in Claim 1. Accordingly, reconsideration and withdrawal of the rejection of the claims under 35 U.S.C. §103 is respectfully requested.

Thus, it is submitted that Applicant's invention as set forth in independent Claim 1 is patentable over the cited art. In addition, dependent Claims 2-9 set forth additional features of Applicant's invention. Independent consideration of the dependent claims is respectfully requested.

In view of the foregoing, reconsideration and allowance of this application is deemed to be in order and such action is respectfully requested.

Applicant's undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our address given below.

Respectfully submitted,

/Scott D. Malpede/

Scott D. Malpede
Attorney for Applicant
Registration No. 32,533

FITZPATRICK, CELLA, HARPER & SCINTO
1290 Avenue of the Americas
New York, NY 10104-3800
Facsimile: (212) 218-2200

SDM/rnm

FCBS_WS 6511724v1.doc